

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

Crl.Rev.Pet.No. 377 of 2005(A)

CRA.301/2003 of ADDL. SESSIONS COURT (ADHOC), THRISSUR
ST.2234/1999 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR
.....

REVN. PETITIONER: APPELLANT/ACCUSED:

PREMALATHA, W/O. KRISHNAN,
MUTHAMPARAMBIL HOUSE, VALAPPAD DESOM, AMSOM,
CHAVAKKAD TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU
SMT.P.MAYA

RESPONDENTS: COMPLAINANT & STATE:

-
1. MOHANAN, S/O. ANANDARAJAN,
MUKUTTATHIL HOUSE, VALAPPAD DESOM, AMSOM,
CHAVAKKAD TALUK.
 2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.K.B.MOHANDAS FOR R1
BY PUBLIC PROSECUTOR (SRI. C.K.SURESH)

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 19/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K. HEMA, J.

=.=.=.=.=.=.=.=.=.=.=.=.=.=.=.=.

Crl.R.P. No. 377 of 2005

=.=.=.=.=.=.=.=.=.=.=.=.=.=.=.=.

Dated this the 19th day of January, 2007.

ORDER

Revision Petitioner is the accused in S.T.No. 2234 of 1999 on the file of the Judicial First Class Magistrate Court, Kodungallur. First respondent is the complainant therein. Revision petitioner was convicted and sentenced by the Magistrate's Court to undergo simple imprisonment for a period of one month under section 138 of the Negotiable Instruments Act and to pay a compensation of Rs. 1,55,000/- to the complainant under section 357(3) Cr.P.C. In appeal filed by him, the conviction was confirmed but sentence was modified by the Addl. Sessions Court. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.A.No.696 of 2007 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the first respondent-complainant. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, the Revision Petitioner is acquitted of offence under section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl. M.A.No.696 of 2007 and Revision Petition are allowed.

Krs.

K. HEMA, JUDGE.